

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

WILLARD BAYS, individually and on behalf of all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:21-cv-00460
)	Hon. Robert C. Chambers
WALMART INC., a Delaware corporation, WAL-MART STORES EAST, LP, a Delaware corporation,)	
)	
)	
Defendants.)	
)	
)	
)	
)	

NOTICE OF SETTLEMENT

Defendants Walmart Inc. and Wal-Mart Stores East, LP (collectively, “Walmart” or “Defendants”) notify the Court that on March 3, 2022, the United States District Court for the Western District of Texas entered an Order Granting Preliminary Approval of Class Action Settlement Agreement and Conditionally Certifying Settlement Class For Settlement Purposes Only in *In Re: CaptureRX Data Breach Litigation*, 5:21-CV-00523-OLG. See Ex. A (order granting preliminary approval of class action settlement); Ex. B (CaptureRX settlement).

The CaptureRX settlement resolves, settles, and releases, among other things, all claims and causes of action that natural persons residing in the United States had, have, or may have against Walmart that arise from, arise out of, are based upon, or relate to the CaptureRX data

breach. The CaptureRX settlement expressly releases, among other things, all claims Plaintiff Willard Bays asserted or that could have been asserted in the above-captioned *Bays* litigation.

The deadline to object or opt out of the CaptureRX settlement was May 17, 2022. Plaintiff Bays did not object or opt out of the CaptureRX settlement.¹ A final approval hearing on the CaptureRX Settlement is set for June 23, 2022.

Dated: May 31, 2022

/s/Alexander Macia

Alexander Macia (WV State Bar #6077)
Tai Shadrick Kluemper (WV State Bar #12261)
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Counsel for Walmart Inc. and Wal-Mart Stores East, LP

¹ Based on information received from CaptureRX's counsel.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 31, 2022, a true and correct copy of the foregoing document was filed electronically with the Clerk of the Court using the Court's CM/ECF filing system, which served electronic notice to all parties registered to receive such service.

/s/Tai Shadrick Kluemper
Tai Shadrick Kluemper